IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.4821 of 2008
MANISH PANDEY
Versus
STATE OF BIHAR
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4 12.5.2008 Heard counsel for the petitioner and the State.

The petitioner, who is the husband, is an accused in a case under sections 304B and 498A of the Penal Code and section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the deceased sustained burnt injury on 16.12.2002 and she survived till 29.1.2003 but no case against the petitioner and other accused persons were instituted. He further submits that this shows that this was natural burnt and creates a doubt regarding the veracity of the prosecution case. He further submits that it would appear from the statement of the victim girl, as contained in Annexure-2, which was recorded by the A.C.J.M.IIII, Varanasi on 17.12.2002 that she got burnt injujry on account of leakage in the gas cylinder.

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It appears that the occurrence is of the year 2002 and the petitioner did not surrender till 28.11.2007 on which date he was taken into custody.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. His prayer for bail is rejected for the present. However, he may renew his prayer for bail after three months.

KHAN (S.P.Singh,J)

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